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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/886,325	06/19/2001	Russell S. Neville	D/A1149	5399

7590 09/08/2004

Patent Documentation Center
Xerox Corporation
Xerox Square 20th Floor
100 Clinton Ave. S.
Rochester, NY 14644

EXAMINER	
LOHN, JOSHUA A	

ART UNIT	PAPER NUMBER
2114	

DATE MAILED: 09/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/886,325	NEVILLE, RUSSELL S.	
	Examiner	Art Unit	
	Joshua A Lohn	2114	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *30 April 2004*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-26* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-26* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *19 June 2001* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *6/19/01, 4/30/04*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-7, 11-23, and 26 are rejected under 35 U.S.C. 102(e) as being anticipated by Taggart et al., United States Patent Application Publication, 2002/0165784, filed March 1, 2001.

As per claim 1, Taggart discloses a support system for diagnosing printer problems that includes a support server having a rules engine for parsing printer diagnostic data into components, for analyzing the components and for generating a suggested solution based on combinations of printer diagnostic data and error conditions (Taggart, ¶60) and at least one printer, located remote from the support server, wherein the printer includes a printer driver, responsive to a request for support, for communicating with the support server (Taggart, ¶26, where the processor acts as a driver to control the operation of the appliance). Taggart also discloses that, responsive to a request for support from the printer, the printer transmits printer diagnostic data to the support server (Taggart, ¶33), and that the rules engine parses and analyzes the printer diagnostic data and generates a suggested solution and the support server transmits the suggested solution to the printer (Taggart, ¶60).

As per claim 2, Taggart discloses that the support server and the printer communicate over the Internet (Taggart, ¶35).

As per claim 3, Taggart discloses that the support server further includes a printer diagnostics utility; wherein responsive to a request for support from the printer, the support server transmits the printer diagnostics utility to the printer; and wherein, upon receipt of the printer diagnostics utility, the printer generates printer diagnostic data (Taggart, ¶61, where the diagnostic utility is the page providing the client with the session to initiate the snapshot gathering).

As per claim 4, Taggart discloses that the printer driver further includes a usage profile utility for generating and storing usage information and printer status information during operation of the printer and wherein, responsive to the request for support from the printer, the printer transmits the usage profile information and printer status information to the support server (Taggart, ¶29-30).

As per claim 5, Taggart discloses that the printer further comprises a web browser for pointing to a web page at the support server (Taggart, ¶64).

As per claim 6, Taggart discloses that the printer further comprises a web server for generating web pages pertaining to the printer (Taggart, ¶42).

As per claim 7, Taggart discloses that the printer and the support server communicate over the Internet via a web browser; wherein the printer driver further includes a usage profile utility for generating and storing usage information and printer status information during operation of the printer; and wherein, responsive to the request for support from the printer, the web server attaches the usage profile information and

printer status information to a web page for the printer and transmits the web page to the support server (Taggart, ¶35-38).

As per claim 11, Taggart discloses that the printer further comprises a processor, a memory storing a web browser and an input/output device having a display (Taggart, ¶25-26 and ¶45, in the instance where the client and appliance are in the same device).

As per claim 12, Taggart discloses that the printer is coupled to an input/output device for receiving user requests for support and for displaying received solutions (Taggart, ¶45).

As per claim 13, Taggart discloses that the input/output device comprises a personal computer (Taggart, ¶45).

As per claim 14, Taggart discloses that the input/output device comprises a wireless device (Taggart, ¶45).

As per claim 15, Taggart discloses that the input/output device comprises a processor, a memory and a front panel display in the printer (Taggart, ¶45, where the client and the appliance are in a single device).

As per claim 16, Taggart discloses on receipt of the suggested solution, the printer executes the suggested solution (Taggart, ¶7, where the printer execution of the request results in the operation of solution execution, like the downloading of software).

As per claim 17, Taggart discloses a support system for diagnosing printer problems, with a support server having a rules engine for parsing printer diagnostic data into components, for analyzing the components and for generating a suggested solution based on combinations of printer diagnostic data and error conditions (Taggart, ¶60) and

at least one printer, located remote from the support server, wherein the printer includes a printer driver, responsive to a request for support, for communicating with the support server (Taggart, ¶26, where the processor acts as a driver to control the operation of the appliance), a usage utility for generating and storing printer diagnostic data during operation of the printer, wherein printer diagnostic data comprises usage profile information and printer status information (Taggart, ¶29-30), and a web server for generating web pages pertaining to the printer (Taggart, ¶42). Taggart also discloses that, responsive to a request for support, the printer driver loads a web browser, the web browser accesses a web address associated with the printer and invokes the web server, the web server generates a web page containing any stored usage profile information and printer status information and transmits the stored printer diagnostic data to the support server (Taggart, ¶64). Taggart further discloses that the rules engine parses and analyzes the printer diagnostic data and generates a suggested solution and the support server transmits the suggested solution to the printer (Taggart, ¶60).

As per claim 18, Taggart discloses a method of remotely diagnosing printer problems in a support system having a support server and at least one printer located remote from the support server, comprising: sending a request for support from the printer to the support server (Taggart, ¶31 and ¶33); transmitting printer diagnostic data to the support server (Taggart, ¶32-33); using a rules engine to parse the printer diagnostic data into components and to analyze the components; generating a suggested solution based on combinations of printer diagnostic data and error conditions; and transmitting the suggested solution to the printer (Taggart, ¶60).

As per claim 19, Taggart discloses that the support server and the printer communicate over the Internet (Taggart, ¶35).

As per claim 20, Taggart discloses that the printer includes a printer driver having a web browser for pointing to a web page at the support server and wherein the step of sending a request for support from the printer to the support server comprises accessing the web browser (Taggart, ¶64-65).

As per claim 21, Taggart discloses prior to sending a request for support, generating printer diagnostic data at the printer during operation of the printer and storing the user profile information and printer status information at the printer (Taggart, ¶30).

As per claim 22, Taggart discloses that the printer diagnostic data comprises usage profile information and printer status information (Taggart, ¶30, where the quantifying and qualifying information would show a usage profile and the event info would provide status information).

As per claim 23, Taggart discloses subsequent to transmitting the request for support, transmitting a printer diagnostic utility from the support server to the printer; and using the printer diagnostic utility to generate printer diagnostic data (Taggart, ¶61, where the diagnostic utility is the page providing the client with a session to initiate the snapshot gathering).

As per claim 26, Taggart discloses verifying warranty information for the printer (Taggart, ¶55).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 8-10, 24, and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Taggart in view "HP Instant Support", published January 2001 and provided in applicant's information disclosure statement.

As per claim 8, Taggart discloses all the limitations of claim 1, and that the printer has a unique identifier (Taggart, ¶33, the identifier is inherent because the printer is a network entity and all the network entities have a URL value to provide unique identification, also the printer must have a unique identifier to allow for the identification of individual devices in the logging database) and wherein the support server further comprises a memory for storing historical information pertaining to the printer comprising a record of the printer diagnostic data (Taggart, ¶52). Taggart fails to disclose including a historical record of the request for support and the suggested solution.

"HP Instant Support" discloses including a historical record of the request for support and the suggested solution ("HP Instant Support", page 5, section titled "speak with a specialist")

It would have been obvious to one skilled in the art at the time of the invention to include the additional historical information of "HP Instant Support" in the database utilized by Taggart.

This would have bee obvious because Taggart discloses the database providing information relating to usage and configuration information for use in the solving of problems (Taggart, ¶52). Historical information relating to previous support requests and suggested solutions, as provided for in "HP Instant Support" would have been valuable in this database. It would have been obvious that the historical information of support requests and suggested solutions would have provided for valuable additions to the configuration information and usage data of the database of Taggart by including all usage changes that resulted from previous support issues.

As per claim 9, Taggart discloses that the support server transmits historical information to the printer (Taggart, ¶70).

As per claim 10, Taggart discloses that the support server verifies warranty information for the printer (Taggart, ¶55).

As per claim 24, Taggart discloses all the limitations of claim 18, and the limitations of storing historical information pertaining to the printer comprising a record of the printer diagnostic data at the support server (Taggart, ¶52). Taggart fails to disclose the historical information including the request for support and the suggested solution.

"HP Instant Support" discloses including a historical record of the request for support and the suggested solution ("HP Instant Support", page 5, section titled "speak with a specialist")

It would have been obvious to one skilled in the art at the time of the invention to include the additional historical information of "HP Instant Support" in the database utilized by Taggart.

This would have bee obvious because Taggart discloses the database providing information relating to usage and configuration information for use in the solving of problems (Taggart, ¶52). Historical information relating to previous support requests and suggested solutions, as provided for in "HP Instant Support" would have been valuable in this database. It would have been obvious that the historical information of support requests and suggested solutions would have provided for valuable additions to the configuration information and usage data of the database of Taggart by including all usage changes that resulted from previous support issues.

As per claim 25, Taggart discloses transmitting stored historical information to the printer (Taggart, ¶70).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure is provided on included form PTO-892.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joshua A Lohn whose telephone number is (703) 305-3188 until October 15, 2004. After October 15, the examiner can be reached at (571)-272-3661. The examiner can normally be reached on M-F 8-4.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Beausoleil can be reached on (703) 305-9713. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JAL

SCOTT BADERMAN
PRIMARY EXAMINER